

September 27, 2005

Dr. Jerry Weast, MCPS Superintendent
Patricia O'Neill, MCPS Board of Education President
Carver Educational Services Center
850 Hungerford Drive
Rockville, MD 20850

Re: Translation Services for Residents Seeking to Testify at Board Meetings

Dear Dr. Weast and President O'Neill:

I am writing to follow up on a complaint that was relayed to me by a member of my staff and people who attended last night's session of the Montgomery County Board of Education. As you know, one item of your agenda was a discussion of services within MCPS for people with limited English proficiency. The Council's Office of Legislative Oversight (OLO) recently completed a number of reports documenting the challenges confronting people with limited English proficiency who seek to access an array of county services. At a hearing before the full Council, OLO presented the results of its review of MCPS, documenting strengths of the current delivery system and areas that need improvement. President O'Neill then scheduled the issue for discussion at the BOE last evening, an action that I applaud.

Ensuring that MCPS students and their families can meaningfully access the services offered by MCPS is a critical element of an overall plan to ensure that all MCPS students have equal access to a quality education. It is also the law, as you know. Many community stakeholders are very interested in this issue of the need for more bilingual services within MCPS. This interest explains the robust turnout for last night's session. A number of residents signed up to testify at the outset of the Board meeting, including two monolingual MCPS parents who wanted to testify about the importance of providing additional assistance to MCPS students and parents. According to my staff member and advocates who attended the meeting, no qualified interpreters were present to translate their testimony.

Before passing judgment, I am requesting that you investigate this matter and inform me as to whether the two witnesses in fact testified in Spanish without the benefit of an interpreter. If the facts as relayed to me are accurate, this is a textbook violation of Title VI of the Civil Rights Act of 1964, which mandates that entities such as MCPS that receive federal financial assistance take the necessary steps to ensure that people with

limited English proficiency can meaningfully access BOE hearings. Meaningful access includes meaningful participation.

It was heartening to observe so many people from our immigrant community who attended the meeting to ensure the Board appreciated the importance of providing bilingual services. If these facts as relayed to me are accurate (and I will withhold judgment on that until I hear from you), I would recommend at a minimum that the Board reach out to the two witnesses and offer them an apology as well as another opportunity to testify with the benefit of an interpreter.

I know you are concerned about the issues they are raising, and I have no doubt about your commitment to ensuring equal access for MCPS students and parents with limited English proficiency. However, if the facts as alleged are accurate, this may lead some community members understandably to question the Board's commitment to meaningful engagement of immigrant communities. Already, I have been asked by one community member whether all the Board members are bilingual. When I replied that I would inquire into this question, but did not think all board members spoke Spanish, the person asking the question expressed concern that the Board did not care about the views of limited English proficient parents.

I would also like to know what the Board's policy is regarding people with limited English proficiency who are seeking to testify at BOE meetings. Is there a written policy? How is this policy disseminated to the public? What steps are taken to ensure that there are trained interpreters at BOE meetings, especially those in which it is reasonably foreseeable (e.g. a meeting in which you will be discussing the needs of people with limited English proficiency) that people with limited English proficiency will testify.

I look forward to your response to my questions. I may have additional questions pertaining to this and related issues.

Sincerely,

Thomas E. Perez
President
Montgomery County Council